



Commissioners of Leonardtown

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Mayor

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LASCHELLE E. MCKAY
Town Administrator

Commissioners of Leonardtown **Town Council Meeting Minutes** **July 12, 2010 ~ 4:00 P.M.**

Attendees: J. Harry Norris, Mayor
Walter Wise, Vice President
Thomas Collier, Councilmember
Roger Mattingly, Councilmember
Leslie E. Roberts, Councilmember

Absent: Dan Burris, Councilmember

Also in attendance were: Laschelle McKay, Town Administrator; Rebecca Sothoron, Town Treasurer; DeAnn Adler, Plans Reviewer; Teri Dimsey, Recording Secretary; Jackie Post, Fiscal Clerk; Cpl. Smolarsky, SMCSO. A complete list of attendees is on file at the Leonardtown Town Hall.

Mayor Norris called the regularly scheduled meeting to order at 4:05 p.m. and called for the recitation of the Pledge of Allegiance.

Mayor Norris proceeded to take up the first item of business.

Approval of Minutes:

The meeting minutes for June 14, 2010 Town Council meeting were presented for approval.

Councilmember Collier remarked that the minutes have him down as absent but he was present during the meeting and asked that this be corrected.

Mayor Norris entertained a motion to accept the minutes with the correction noted by Councilmember Collier.

Councilmember Collier moved to approve the June 14, 2010 Town Council meeting minutes; seconded by Councilmember Roberts; no further discussion, the motion passed unanimously.

Treasurer's Report – Ms. Sothoron

Ms. Sothoron reported that the financial information for June was placed in Council's packet. During the month transfers were made back and forth from accounts which netted to zero. Property tax bills will

COUNCIL: WALTER WISE, *Vice President* DANIEL W. BURRIS
THOMAS R. COLLIER ROGER L. MATTINGLY LESLIE E. ROBERTS

begin running in late July and mailed the first week of August. The preliminary data indicates that we will be slightly above our projected revenue for property taxes. We did receive an income tax distribution in June and will receive one more in the end of August but it does relate to the 2010 fiscal year. It is very likely that we will also meet the income tax for 2010 based on that distribution. Ms. Post will be spending a significant amount of time on the on-going meter project, setting up the billing software, getting the meter numbers, taking test readings to see where the problems may be which will help in determining the rate structure.

Planning Report – DeAnn Adler

Planning and Zoning meeting for June 14, 2010 - There were no cases to be heard.

Planning and Zoning meeting for July 19, 2010 at 4:00 pm. One case on the agenda to be heard

Ms. Adler reported that all of the Planning and Zoning Board Members and the Board of Appeals Members have completed their State mandated education course. Their names have been submitted to the Maryland Department of Planning (MDP). They will be receiving certificates of completion from MDP.

Case # 13-10 – 22635 Washington Street – This is a request for final site plan approval for a new single family home to be built on a piece of property zoned C-B on the corner of Lawrence Avenue and Washington Street. At the Board of Appeals hearing last month, the Board voted to approve this request for a special exception.

Case # 49-10 22380 Greenbrier Road – Request for EDU Allocation

Ms. Adler reported that Mr. Doug Brown, owner (ownership listed as Blackistone Residue, LLC) of Parcel 20, Map 121, on Greenbrier Road, is requesting that the Town Council consider allowing the proposed subdivision and development for this property. According to Ordinance No. 132, this project would need to meet the criteria spelled out in #2, page 2. If these EDU's are allocated, Mr. Brown would then seek to rezone this property from R-SF to PUD in order to build four single family homes on this 1.94 ac. lot. (See enclosed site plan).

This property was once part of the Leonard's Grant PUD. Some of these small leftover parcels, that were no longer part of that PUD, were rezoned in 2004 from PUD to R-SF. This parcel is also a residue of the Elizabeth Somerville Subdivision.

In 2008 the owners requested changing the zoning from R-SF to R-MF. The application was withdrawn at that time after we received a petition against the zoning change from the neighbors. The same petition has been presented at this time as a reminder of the sentiment of the neighbors.

Mayor Norris requested that Ms. Adler read, out loud, Ordinance #132, Section 2 for the Council members and attendees.

Mr. Brown stated that he does not own this property. He is here today representing the owner, Blackistone Residue LLC. Mr. Brown provided some background on the history of the property and described the project to build four small single family homes, each approximately 1,350 square feet in size.

Mr. Brown noted that there is existing Town water to the edge of the property. We will extend that to the end and have met with Mr. Johnson, the Town's WWTP Supervisor, on this. We will leave an open area for the Town and do some small park improvements.

Mr. Brown stated that this is all in the conceptual stage and if granted EDU approval they will move forward for getting on the Planning and Zoning Agenda and prepare a full concept plan.

Ms. McKay noted that today's Council action is to determine if this project meets any of the criteria in Section 2 of Ordinance No. 132 which the Town enacted due to the limited supply of EDUs.

Councilmember Mattingly inquired about the number of available EDUs.

Ms. McKay reported that we do have enough EDUs to allocate the additional three that they would need but because our supply is so limited, in 2008 the Town passed this Ordinance so that if a project did not meet the criteria that the Town felt was a priority project, and until we are able to expand the plant and get additional capacity, projects do need to meet these criteria.

Mr. Brown stated that one of the reasons we chose this smaller footprint was to lessen the impact on the existing sanitary sewage plant.

The Council Members inquired about the road into the proposed neighborhood and there was discussion regarding improvements and accessibility.

Councilmember Collier asked Mr. Brown to expand on how this project fits into one of the required criteria to justify why we should allocate these EDUs for this project.

Mr. Brown responded that they are totally open to a phased development and not developing these units and tap the EDUs until 2012.

Mayor Norris inquired if anyone in attendance wanted to make any comments and, if so, please state your name for the record.

Mr. Coryell stated that he lives two doors down and a few years ago Mr. Daniel Brown informed them that they planned to build a few houses and apartments on the property. He got together a petition of approximately 25 to 30 people along Greenbrier Road, some in Singletree and some along Rte. 245 to state that no one wanted this property to be developed as described. If developed as proposed that would be at least eight cars; two per family on only 1.9 acres.

Mr. Tom Connelly remarked that he lives on the corner and that the street will not handle all of the proposed traffic. He noted that when two commercial vehicles go in, one has to back up. He is not for this development.

Mayor Norris reiterated that these issues are more for the planning and zoning process but it is important for the Council to hear these concerns.

Mr. Brown stated that they are aware of these issues. The situation at the main entrance involves a State highway and a County Road and in order to meet public works requirements for road improvement we would have to turn that into a standard entrance, meaning it would have to be widened.

Councilmember Roberts noted that the issue before us today is the EDUs. We are in the midst of discussions involving the use of EDUs for the Detention Center and our capacity. She remarked that at this moment she is not in favor of allocating additional EDUs for this project.

Mr. Brown stated that his client would like to know that if we are not granted any EDUs at this time, are we then on a list, so that in such a point of time there are available EDUs that we can then reapply.

Ms. McKay remarked that the Ordinance spelled out in number 3 that applications would then be placed in a queue, which we will then track.

Councilmember Roberts moved on Case # 49-10 22380 Greenbrier Road to deny the request for EDU allocation as the Town is not ready to expand the request beyond the one EDU that this property already has; seconded by Councilmember Wise, no further discussion, motion passed unanimously.

Mayor Norris noted that this project will now be placed in the queue until such time as the plant is expanded.

Mr. Brown asked if they can move forward with the Planning and Zoning approach.

Ms. McKay stated no, the Ordinance states that you cannot move forward with the project at all until such capacity is available.

Mayor Norris stated that when the plant expands, which could be several years from now, that this project may move forward and be looked at by the Planning and Zoning Commission.

Deputy Report - Deputy Smolarsky

Deputy Smolarsky submitted a written report but was unable to attend today's meeting.

Town Administrator Report – Laschelle McKay

Ms. McKay reported that Ledo's Pizza has made a liquor license request for an extension of premises. Mr. Western, owner, is in attendance. He is adding a small patio and is requesting service of beer and wine only, no liquor, to the outside customers. Their main clients are families and expect only a few customers to want beer and wine with their meal but he would like to be able to provide it if requested.

Councilmember Collier was concerned about the required setbacks and future widening of Route 5.

Ms. McKay assured Council that this small patio expansion would not be affected and met the required elements.

Councilmember Collier moved to approve sending a letter of support to the Liquor Board for Ledo's Pizza for an extension of the premises; seconded by Councilmember Roberts, no further discussion, motion passed unanimously.

Mayor’s Report

Mayor Norris stated that Friday, July 9th, was a huge success. It was a lot of work and the responses have all been positive and wonderful about the Fox 5 Newscast of Leonardtown.

Council Reports

Events - Councilmember Mattingly:

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Meeting</u>
Saturday, July 10	7 – 8 PM	St. Mary’s River Concert Series on location in Leonardtown on the Square
July 25-August 8		Savor St. Mary’s Restaurant Week- “Buy Local, Eat Local, Support the Community!”
Friday, August 6	5-8 PM	First Friday Celebration
Saturday, August 7	4 - 9 PM	Beach Party on the Square
Thursday, August 12	4 - 10 PM	“Lil” Margaret’s Bluegrass & Old Time Music Festival
Friday, August 13	3 – 11 PM	
Saturday, August 14	9 AM–11 PM	
September 11	10 AM – 3 PM	Fall Follies on the Square in Leonardtown
September 19	12 PM – 5 PM	Taste of St. Mary’s Leonardtown Square
September 23-26	TH 3 – 9 PM FR 9 AM-9 PM ST 9 AM-9 PM SN 9 AM -6 PM	St. Mary’s County Fair – County Fairgrounds

Streets and Roads – Councilmember Wise: **No Report**

Capital Projects – Councilmember Collier: **No Report**

MML/SMMA – Councilmember Roberts

Councilmember Roberts reported that the Maryland to Kentucky Reunion will take place this weekend with over 250 people from all over the country coming and roaming all around town. The Executive Inn and Suites is totally full along with many of the surroundings hotels. All the events are at the Leonardtown Fire Department. I visited all of the local businesses informing them of the coming event and letting them know that these folks would be eating and shopping all around town.

Councilmember Roberts also noted that tentatively Governor O'Malley may be campaigning in Leonardtown on First Friday, August 6th. Possibly we can get the Governor to pull the winning raffle ticket.

She also reported that she attended the MML Convention in June, along with Council Members Mattingly and Wise and Mayor Norris. Both Council Member Mattingly and herself passed the Planning and Zoning course and expect to receive their certificates shortly. The winery and how we made that happen was a big topic with the other towns and how we made that happen.

Mayor Norris entertained a motion to adjourn.

Councilmember Mattingly moved to adjourn the meeting at 4:40 p.m.; Councilmember Collier seconded the motion, which passed unanimously.

Respectfully Submitted:

Teri Dimsey, Recording Secretary

Approved:

J. Harry Norris, III, Mayor

Walter Wise, Vice President

Daniel W. Burris, Councilmember

Thomas R. Collier, Councilmember

Roger L. Mattingly, Councilmember

Leslie E. Roberts, Councilmember